

MESSAGE NO: 0203301

MESSAGE DATE: 07/22/2010

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: 05/24/2004

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON HAND TRUCKS AND CERTAIN PARTS  
THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM NORTHERN TOOL & EQUIPMENT CO. (NORTHERN TOOL). COMMERCE ISSUED A FINAL SCOPE RULING ON 06/09/2010, THAT NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-891).

2. COMMERCE DETERMINED THAT NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 IS OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER BECAUSE THE HIGH AXLE TORCH CART #16477 IS INCAPABLE OF SLIDING UNDER A LOAD FOR THE PURPOSES OF LIFTING AND/OR MOVING THE LOAD AS REQUIRED BY THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA. SPECIFICALLY, NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 IS A HEAVY DUTY CART ON 20" PNEUMATIC TIRES MEASURING 28" WIDE BY 48" HIGH. THE CART IS MADE OF 14-GAUGE STEEL AND IS SPECIALLY DESIGNED TO HOLD ACETYLENE AND OXYGEN CYLINDERS AND FEATURES A SELF-LEVEL TOOL BOX FOR SAFE TRANSPORTATION OF TORCH SUPPLIERS.

3. EFFECTIVE 05/24/2004, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF NORTHERN TOOL'S HIGH AXLE TORCH CART #164771 ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF HANDTRUCKS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY NME: JEH).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party